

A regular meeting of the City Council was held in the Council Chambers with Councilor Cruise presiding. The meeting was called to order at 8:01pm with ten members being present. Councilor Rodrigues being absent.

In City Council, December 12, 2016

- 595** Acceptance of the minutes of the November 28, 2016 City Council meeting.

Accepted and placed on file

### **REPORTS**

- 596** Of the Finance Committee for its meeting of December 5, 2016.

Accepted and placed on file

### **COMMUNICATIONS**

- 597** From the Executive Director of the Parking Authority submitting a letter of resignation of Henry E. Tartaglia, as a member of the Parking Authority Board effective November 30, 2016.

Accepted and placed on file

- 598** From the Mayor recommending the acceptance of M.G.L., Ch. 60 Section 3A-Form of Bill or notice: electronic format which would permit the City to provide the option for taxpayers to receive their bills electronically and would govern how the city implements this option.

Accepted and placed on file

- 599** From the CFO in accordance with Sec. 5 of Ch. 324 of the Acts of 1990 certifying the proposed acceptance of M.G.L., Ch. 60 Section 3A-Form of Bill or notice.

Accepted and placed on file

### **UNFINISHED BUSINESS**

Petition of Yeuheni Mychko DBA Solid Auto Care Corp. for a Motor Vehicle Repair Mechanical License located at 967 Montello St., Unit A-B, Brockton, MA (FAVORABLE AS STIPULATED) (IN CITY COUNCIL, NOVEMBER 14, 2016, AND NOVEMBER 28, 2016, POSTPONED)

Councilor Sullivan motioned to postponed to next Council Meeting was properly seconded. Motion carried by a hand vote.

Petition of Bernard Joseph DBA J & B Auto Repair & Frame Works for a Motor Vehicle Repair Mechanical License located at 967 Montello St., Unit C & D, Brockton, MA. (FAVORABLE AS STIPULATED) (IN CITY COUNCIL, NOVEMBER 14, 2016, AND NOVEMBER 28, 2016, POSTPONED)

Councilor Sullivan motioned to postponed to next Council Meeting was properly seconded. Motion carried by a hand vote.

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**UNFINISHED BUSINESS (Cont'd)**

Petition of Ronald Homere DBA Bernado and Ron Auto Repair for a Motor Vehicle Repair Mechanical License located at 967 Montello St., Unit E, Brockton, MA. (FAVORABLE AS STIPULATED) (IN CITY COUNCIL, NOVEMBER 14, 2016, AND NOVEMBER 28, 2016, POSTPONED)

Councilor Sullivan motioned to postpone to next Council Meeting was properly seconded. Motion carried by a hand vote.

Petition of Rowland Okafor DBA Rowland Automotive for a Motor Vehicle Repair Mechanical License located at 967 Montello St., Unit F, Brockton, MA. (FAVORABLE AS STIPULATED) (IN CITY COUNCIL, NOVEMBER 14, 2016, AND NOVEMBER 28, 2016, POSTPONED)

Councilor Sullivan motioned to postpone to next Council Meeting was properly seconded. Motion carried by a hand vote.

Councilor Asack stepped down

- 485** An Ordinance amending Chapter XXVII of the Revised Ordinance of the City of Brockton. Be it ordained by the City Council of Brockton as follows: Chapter 27. Zoning, Sec. 27-4 Designation of zones, is hereby amended by deleting the section in its entirety and inserting new section Sec. 27-35.1-I-4 Salvage Yard Overlay District. (HEARING HELD, FAVORABLE) (IN CITY COUNCIL, NOVEMBER 28, 2016, PASSED TO A THIRD READING, BY HAND VOTE)

Adopted by a roll call vote taken by “yeas” and “nays”; ten members present with 8 members voting in the affirmative. Councilor Beauregard voting in the negative. Councilors Asack and Rodrigues absent.

- 486** An Ordinance Amending Section 2-146 of the Revised Ordinances of the City of Brockton. Section 2-146 Compensation – School Committee members elected by Ward. (FAVORABLE) (IN CITY COUNCIL, NOVEMBER 28, 2016, PASSED TO A THIRD READING, BY HAND VOTE)

Adopted by a roll call vote taken by “yeas” and “nays”; Ten members present and 9 members voting in the affirmative. Councilors Asack and Rodrigues being absent.

Councilor Asack Stepped back in

- 568** Ordered: That the sum of \$2,000,000 is appropriated to pay costs of inspecting and rehabilitating 7 miles of the parallel 24 inch transmission mains from the Silver Lake Water Treatment Plant to the Browns Crossing Pump Station, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under the pursuant to Ch. 44 and/or Ch.29C of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; that such bonds or notes shall be general obligations of the City unless the Treasurer with the approval of the Mayor determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Sec. 1 of Ch. 29C; that the Treasurer with approval of the Mayor is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust (the(“Trust”) established pursuant to Ch.29C and in connection therewith to enter into a financing agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and that the Mayor is authorized to enter into a project regulatory agreement with the Department of Environmental Protection; to expend all funds available for the project and to take

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**UNFINISHED BUSINESS (Cont'd)**

any other action necessary to carry out the project. Further Ordered: Any premium received by the City upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this order in accordance with Ch. 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount. Further Ordered: That the City Treasurer is authorized to file an application with the Commonwealth of Massachusetts' Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any and all bonds or notes of the City authorized by this vote, and to provide such information and execute such documents as the Municipal Finance Oversight Board of the Commonwealth of Massachusetts may require. (FAVORABLE) (IN CITY COUNCIL, NOVEMBER 28, 2016, PASSED TO A THIRD READING, BY HAND VOTE)

Adopted by a roll call vote taken by "yeas" and "nays"; ten members present and all members voting in the affirmative. Councilor Rodrigues absent.

- 577** Appropriation of \$73,037.87  
From: Un-appropriated Estimated Receipts of the General Fund for FY2017  
\$73,037.87  
To: FY2016 Court Judgments \$62,904.30  
Roof Repair Fund 4309 \$632.46  
FY2015 911 Grant Fund 3306 \$3,381.43  
FY2013 911 Grant Fund 3278 \$6,119.68  
(FAVORABLE) (IN CITY COUNCIL, NOVEMBER 28, 2016,  
POSTPONED TO DECEMBER 12, 2016 CITY COUNCIL MEETING)

Councilor Barnes Motioned to postpone to next City Council Meeting due to requesting information from City Solicitor and was properly seconded. The motion carried by a hand vote.

- 593** Resolved: If the Council On Aging, after careful analysis and by vote of its members, determines the Shaws Center is the most appropriate and advantageous location for expansion of programs and services, the City Council expresses its support for that relocation and urges the mayor to take whatever actions may be necessary to support and assist this proposal. (FAVORABLE)

Adopted by a roll call vote taken by "yeas" and "nays"; ten members present and all voting in the affirmative. Councilor Rodrigues absent.

- 594** Resolved: The Public Safety Committee of the City Council shall meet and review the provisions of the new law, review current zoning, business regulations, and public safety issues with appropriate department heads, hold a Public Hearing at the discretion of the committee, and report back to the full Council no later than the first regular meeting in March, 2017 with recommendations or proposed ordinance changes to protect the interests of our residents. (FAVORABLE)

Councilor Farwell motioned to send to Public Safety Committee and was properly seconded. The motion carried by a hand vote.

- 585** Resolve: That the City Auditor appear before a Committee of the City Council to review required auditing procedures and, that the City Auditor is authorized and directed to implement policies and procedures to account for proper recording of data, processing of payments, and expenditure of funds; further, that all departments, boards, and commissions are to adhere to the policies and procedures. (FAVORABLE)

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**UNFINISHED BUSINESS (Cont'd )**

Councilor Farwell motioned to send to Accounts Committee and was properly seconded. The motion carried by a hand vote.

Councilor Cruise acknowledges Troop 142

**ORDERS**

- 601** Ordered: That the naming of Kame Street also be known as McAllister Way.

Referred to Finance

- 602** Ordered: The Executive Office of Energy and Environmental Affairs (EEA) is offering reimbursable grants to cities and towns to support the preservation and restoration of urban parks through the Parkland Acquisitions and Renovations for Communities (PARC) grant program (301 CMR 5.00); and the City of Brockton is eligible for \$400,000 in PARC grant funding and the Brockton Redevelopment Authority has allocated \$112,000 in Community Development Block Grant Funds.

Referred to Finance Committee

- 603** Ordered: That the City Council authorize the acceptance of M.G.L., Ch. 60 Section 3A- Form of Bill or notice: electronic format which would permit the City to provide the option for taxpayers to receive their bills electronically and would govern how the city implements this option.

Referred to Finance Committee

- 605** Resolve: That the Real Estate Committee of the City Council, in coordination with the City Engineer and other departments, undertakes a study of potential sites where the aforementioned facilities might be located on city-owned property in order to accommodate the needs of our youth and adult populations.

Referred to Real Estate Committee

- 606** Resolve: To invite representatives from the Cat Mobile a low-cost spay/neuter clinic currently providing services in the city to both pet owners and feral cat colonies to discuss further plans and opportunities to address this concern more thoroughly.

Referred to Finance

**LATE FILES**

- 600** Ordinance: An Ordinance Amending Chapter XXVII of the Revised Ordinances of the City of Brockton. Be it ordained by the City Council of the City of Brockton, Chapter 27. Zoning is hereby amended by adding the following new Article: Article XXIV. Moratorium - The Regulation and Taxation of Marijuana Act

Referred to Finance

- 604** Ordered: That the Mayor be and is hereby authorized to transfer ownership of the City owned parcel at 19 Main Street, commonly known as the First Parish Building, Map 092, Route 014, Plot 127, that was previously declared by City Council to be surplus and available for disposition, to the Brockton Redevelopment Authority in furtherance of the Downtown Brockton Urban Revitalization Plan as approved by the Brockton City Council on July 25, 2016 and the Massachusetts Department of Housing and Community

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**ORDERS (Cont'd)**

Development on October 14, 2016.

Referred to Planning and Ordinance Committee

Councilor Asack Announced a hands on workshop that her and her colleagues are hosting in relative to tonight's meeting, the setting of tax rates. It takes place on Saturday, January 14<sup>th</sup> 2017 at 10am-2pm located at the main library. More info to come any resident that wants to come, it's to help fill out your tax abatement so save your tax bills you will receive in the beginning of the year.

Councilor Sullivan asked for a moment of personal privilege to announce a Public Safety meeting one week from today. December 19<sup>th</sup> at 6:30pm in the G.A.R room to address a few items that is needed to get done before the end of the year.

Councilor Earniri reminding those that Accounts Committee has a meeting next Monday Dec. 19<sup>th</sup> at 6:00pm in the G.A.R room.

Councilor Lally asked for a moment of personal privilege. Gave a shout out and thank you to the Just Checking In Fund. All volunteers who put wreaths up on veteran's graves. Shout out to Mary Waldren, Auxiliary Post, 1046 Brockton Fire Dept., Fairway Landscaping, Designing images florist, Russell Pica Funeral Home, B.A.W.I.B. and the cemetery department including Lorianne Hardamen who runs the show over there. She just celebrated a Birthday so Happy Birthday!

Councilor Cruise reminding everyone Next Monday night for sub committee meetings.

Meeting Adjourned at 8:19 pm